

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**UNITED STATES OF AMERICA**

§

§

**v.**

§

**CAUSE NO: 22-CR-00232-XR**

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**MARIO CHAPA**

§

**MOTION TO AMEND BOND CONDITIONS**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES MARIO CHAPA, Defendant, by and through the undersigned counsel and brings this Motion to Amend Bond Conditions, and in support thereof, Defendant would show the Court the following:

**I.**

On May 11, 2022, Defendant appeared before Honorable Richard B. Farrer, for a contested detention hearing. After hearing testimony and argument of counsel, Defendant was released with various conditions, including house arrest, remaining in the 24-hour custody of an approved custodian, and no use of internet or computers. Defendant has complied with all conditions of his release for the past seventeen months and remains in full compliance.

On October 31, 2023 Defendant Chapa was recommended for acceptance into the UTSA PhD graduate program in physics.<sup>1</sup> This program is a tremendous opportunity for Defendant, as these positions are very competitive to attain. The program requires full-time enrollment in the Spring 2024 semester, as well as a position of either a Graduate Research Assistant or a Graduate Teaching Assistant.

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<sup>1</sup> See attached acceptance letter, Exhibit A.

The Defendant will be unable to accept this unique opportunity to pursue a PhD in physics under the current conditions of release. Although the current conditions allow him to leave his home for educational purposes, he is currently required to remain always in the presence of a 3<sup>rd</sup>-party custodian. He respectfully requests that this condition be removed while he is engaged at the university campus in educational activities. Defendant will always remain supervised by a 3<sup>rd</sup>-part custodian away from campus.

Secondly, Defendant's studies, classes, and teaching or research activities all require the use of a computer and the internet. Defendant will be using a university-owned computer, which is strictly limited to educational use and require the student's identifier for any logins. Defendant will also need the use of his own computer, which can be monitored by U.S. Pretrial with the installation of computer monitoring software. Defendant respectfully requests removal of the condition prohibiting all use of computers and the internet, to allow for educational use only.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully requests that his bond conditions be amended to allow him to accept and participate in the PhD graduate program at UTSA university.

**Certificate of Conference**

Undersigned counsel conferred with AUSA Tracy Thompson, who stated that the Government is opposed to the requested relief.

**WHEREFORE, PREMISES CONSIDERED,** Defendant respectfully prays that this Honorable Court will grant the requested relief.

Respectfully Submitted,

/s/ Scott W. McCrum

Scott McCrum

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**Certificate of Service**

I hereby certify that on December 22, 2023, a true and correct copy of the foregoing Motion was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant:

Ms. Tracy Thompson  
Assistant United States Attorney  
Western District of Texas  
San Antonio Division

/s/ Scott W. McCrum

SCOTT W. MCCRUM

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**ORDER**

THIS MATTER having come before the Court on Defendant's Motion to Amend Bond Conditions, and after considering same it is hereby GRANTED.

IT IS HERBY ORDERED that Defendant's conditions of bond are amended to allow Defendant to attend campus activities related to the PhD graduate program at UTSA university unsupervised. It is FURTHER ORDERED that Defendant may use a computer and the internet for educational purposes, so long as the computer is owned and monitored by the UTSA, or Defendant's personal computer after U.S. Pretrial has installed computer monitoring software.

SIGNED AND ENTERED, on this the \_\_\_\_ day of \_\_\_\_\_, 2023.

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UNITED STATES MAGISTRATE JUDGE